

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

DARRELL BULLARD,

Plaintiff,

v.

FAIRFAX COUNTY JAIL,

Defendant.

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Civil Action No. 3:22-cv-674-HEH

**MEMORANDUM OPINION
(Dismissing Civil Rights Action Without Prejudice)**

By Memorandum Order entered on November 28, 2022, the Court conditionally docketed Plaintiff's action. (ECF No. 6.) The Court directed Plaintiff to return his *in forma pauperis* affidavit and affirm his intention to pay the full filing fee by signing and returning a consent to the collection of fees form. (*Id.*) The Court warned Plaintiff that a failure to comply with either of the above directives within thirty (30) days of the date of entry thereof would result in summary dismissal of the action. (*Id.*)

Plaintiff has not complied with the Order of this Court. Plaintiff failed to return the *in forma pauperis* affidavit and a consent to collection of fees form. As a result, he does not qualify for *in forma pauperis* status. Furthermore, he has not paid the statutory filing fee for the instant action. *See* 28 U.S.C. § 1914(a). Such conduct demonstrates a willful failure to prosecute. *See* Fed. R. Civ. P. 41(b). Accordingly, this action will be dismissed without prejudice.

An appropriate Order shall issue.



/s/

Henry E. Hudson
Senior United States District Judge

Date: Feb. 13, 2023
Richmond, Virginia